

**TENNESSEE GENERAL ASSEMBLY  
FISCAL REVIEW COMMITTEE**



**FISCAL NOTE**

**SB 547 - HB 953**

March 25, 2011

**SUMMARY OF BILL:** Requires a local government to conduct a public hearing prior to a regularly scheduled meeting of its legislative body on the necessity of condemning property for a county purpose through eminent domain. Requires a legislative body to approve condemnation of any property by majority vote prior to exercising its eminent domain powers.

**ESTIMATED FISCAL IMPACT:**

**Increase Local Expenditures – \$57,400/Permissive**

Assumptions:

- Based on information previously provided by the Tennessee Department of Transportation (TDOT), eminent domain powers were exercised on more than 250 occasions to acquire land for state projects in 2009. This number is estimated to remain constant.
- Based on information provided by TDOT, there is an average of three occasions per county per year in which eminent domain is used to acquire land for local purposes.
- Local governments will notify citizens of public hearings in the jurisdiction's newspaper of general circulation.
- Based on a limited survey of newspapers of general circulation, the average cost to publish a public notice is \$1.83 per line. The average number of lines per public notice is 110 for a total cost of \$201.30 (\$1.83 x 110 lines) per public notice, resulting in a permissive increase to local expenditures of \$57,371 [\$201.30 x (95 counties x 3 uses of eminent domain)].
- Local governments will hold public hearings during their regularly scheduled meetings, resulting in a not significant impact on local expenditures.

**CERTIFICATION:**

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in blue ink, reading "James W. White". The signature is fluid and cursive, with the first name "James" written in a smaller, more compact script than the last name "White".

James W. White, Executive Director

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